

ASSEMBLY BILL

No. 2319

Introduced by Assembly Member V. Manuel Pérez

February 24, 2012

An act to amend Section 201 of the Education Code, relating to educational equity.

LEGISLATIVE COUNSEL'S DIGEST

AB 2319, as introduced, V. Manuel Pérez. Educational equity.

Existing law provides that California's public schools have an affirmative obligation to combat racism, sexism, and other forms of bias, and a responsibility to provide equal educational opportunity.

This bill would make technical, nonsubstantive changes to that provision and other related provisions.

Vote: majority. Appropriation: no. Fiscal committee: no.
State-mandated local program: no.

The people of the State of California do enact as follows:

- 1 SECTION 1. Section 201 of the Education Code is amended
2 to read:
3 201. (a) All pupils have the right to participate fully in the
4 educational process, free from discrimination and harassment.
5 (b) California's public schools have an affirmative obligation
6 to combat racism, sexism, and other forms of bias, ~~and as well as~~
7 a responsibility to provide equal educational opportunity.
8 (c) Harassment on school grounds directed at an individual on
9 the basis of personal characteristics or status creates a hostile
10 environment and jeopardizes equal educational opportunity as

1 guaranteed by the California Constitution and the United States
2 Constitution.

3 (d) There is an urgent need to prevent and respond to acts of
4 hate violence and bias-related incidents that are occurring at an
5 increasing rate in California's public schools.

6 (e) There is an urgent need to teach and inform pupils in the
7 public schools about their rights, as guaranteed by the federal and
8 state constitutions, in order to increase pupils' awareness and
9 understanding of their rights and the rights of others, with the
10 intention of promoting tolerance and sensitivity in public schools
11 and in society as a means of responding to potential harassment
12 and hate violence.

13 (f) It is the intent of the Legislature that each public school
14 undertake educational activities to counter discriminatory incidents
15 on school grounds and, within constitutional bounds, to minimize
16 and eliminate a hostile environment on school grounds that impairs
17 the access of pupils to equal educational opportunity.

18 (g) It is the intent of the Legislature that this chapter shall be
19 interpreted as consistent with Article 9.5 (commencing with Section
20 11135) of Chapter 1 of Part 1 of Division 3 of Title 2 of the
21 Government Code, Title VI of the federal Civil Rights Act of 1964
22 (42 U.S.C. Sec. 1981; et seq.), Title IX of the Education
23 Amendments of 1972 (20 U.S.C. Sec. 1681; et seq.), Section 504
24 of the federal Rehabilitation Act of 1973 (29 U.S.C. Sec. 794(a)),
25 the federal Individuals with Disabilities Education Act (20 U.S.C.
26 Sec. 1400 et seq.), the federal Equal Educational Opportunities
27 Act (20 U.S.C. Sec. 1701; et seq.), the Unruh Civil Rights Act
28 (Secs. 51 to 53, incl., Civ. C.), and the Fair Employment and
29 Housing Act (Pt. 2.8 (commencing with Sec. 12900), Div. 3, Gov.
30 C.), except where this chapter may grant more protections or
31 impose additional obligations, and that the remedies provided
32 ~~herein~~ *in this chapter* shall not be the exclusive remedies, but may
33 be combined with remedies that may be provided by the above
34 statutes.